

Appendix 4
SCDHEC Board Public Hearing Transcript
November 4, 2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SOUTH CAROLINA
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
2600 BULL STREET COLUMBIA, SOUTH CAROLINA 29201

Hearing Re: Proposed)
Amendment of Regulation 61-62) Hearing Proceedings
Air Pollution Control) Agenda Item #4
Regulations and Standards, and) September 8, 2016
The South Carolina Air Quality)
Implementation Plan, (SIP))
State Register Document)
No. 4650)
_____)

Public hearing reported by Kathryn Bostrom, Court Reporter
and Notary Public in and for the State of South Carolina;
pursuant to Rule 30 of the South Carolina Rules of Civil
Procedure; said deposition was taken at the offices of
South Carolina Department of Health and Environmental
Control, 2600 Bull Street, Columbia, South Carolina, on
Thursday, the 8th day of September, 2016, commencing at the
hour of 10:05 a.m.

APPEARANCES

Representing the Board:

Allen Amsler, Chairman

Mark Lutz

R. Kenyon Wells

Charles M. Joye, PE

L. Clarence Batts

David W. Gillespie, MD

William L. Hewitt

Ann B. Kirol, DDS

Director of DHEC:

Catherine Heigel

Advising the Board:

Marshall Taylor, Esquire

Court Reporter:

Kathryn Bostrom

DHEC:

Mr. Robert Brown

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CONTENTS:

PAGE

Proceedings	4
Certification of Reporter	10
Word Index	

* * * * *

Miscellaneous Attachments (sign in sheets, etc.)

* * * * *

Court Reporter's Legend:

dashes [--] Intentional or purposeful interruption
[ph] Denotes phonetically written
[sic] Written as said

1 P-R-O-C-E-E-D-I-N-G-S

2 MR. AMSLER: All right. Item # 4 is a public
3 hearing. We'll now have a public hearing
4 pursuant to Code Section 1-23-111 for
5 proposal amendment of Regulation 61-62 Air
6 Pollution Control Regulation and Standards
7 in South Carolina Air Quality Implementation
8 Plan. Notice of this hearing was published
9 in the State Register Document #4650. The
10 following procedure will be used for the
11 hearing. A member of the DHEC staff will
12 describe the proposal. At the conclusion of
13 that presentation any member of the public
14 may comment. I will first call on those who
15 have signed up to speak. At the conclusion
16 of their comments there will be an
17 opportunity for any other member of the
18 public to speak. Please limit your comments
19 to five minutes and if several members of
20 the group are present, please appoint a
21 spokesperson for that group. Please state
22 you name and the organization for the court
23 reporter. Please limit your comments to
24 materials which are relevant and are not
25 repetitive of statements already made. If

1 you have a written statement please provide
2 a copy to the reporter. Mr Brown, good
3 morning, will you make a staff presentation.

4 MR. BROWN: Good morning Mr. Chairman, members
5 of the board, Director Higel and Counsel.
6 This is a request for a public hearing and
7 board consideration for final approval to
8 amend Regulation 61-62 and the South
9 Carolina State implementation plan or SIP.
10 This proposed actual is an annual update of
11 our Air Quality Regulations in the SIP,
12 primarily to incorporate by reference recent
13 federal amendments and requirements from the
14 past calendar year. First we propose to
15 amend Regulation 61-62.60, and Regulation
16 61-62.63 to incorporate by reference recent
17 federal amendments to federal source
18 category rules. Second to amend Regulation
19 61-62.1, Section 2, and Regulation 61-62.5
20 Standard Number one and four to address
21 regulation wording on periods of excess
22 emissions during start up, shut down or
23 malfunction events, also known as SIP, I'm
24 sorry, SSM. This is required by the EPA in
25 response to a national petition for rule

1 making, and to address a finding of
2 substantial inadequacy referred to as a
3 "SIP" call. Third to amend Regulation 61-
4 62.1 Section 3 to incorporate changes to
5 the EPA Emissions Inventory Reporting
6 requirements and to lower the threshold for
7 reporting lead emissions from sources. And
8 last to amend 61-62.5 Standard #2 to
9 incorporate amendments revising the national
10 ambient air quality standard for ozone. A
11 notice of drafting was published in the
12 State Register on February 26th of this
13 year, comments on the SSM were received and
14 considered in the initial proposal. In June
15 of this year the board granted staff initial
16 approval to public notice proposed
17 amendments which were published in the State
18 Register in June 24th. The department
19 received no comment from the public and no
20 comment letter was received from the EPA.
21 The proposed amendments to the Air Pollution
22 Control Regulations and Standards and the
23 SIP are necessary to ensure compliance and
24 maintain conformity with Federal Regulations
25 & Standards. The proposed amendments will

1 not be more stringent than the federal rules
2 and legislative review is not required. In
3 summation, the department's staff asked that
4 after public hearing and consideration of
5 the attached information the board finds for
6 the need and reasonableness of the proposed
7 revisions, and I'll be happy to address any
8 questions. Any Questions?

9 MR. JOYE: We had no choice?

10 MR. BROWN: Yes sir, these are all of the things
11 that are in there are either already in
12 place under the federal regulations and the
13 sources are already having to meet or
14 they're an issue like the startup, shutdown
15 malfunction where the EPA says we have to
16 change our regulations. And that's a it's a
17 minor re-wording, and it won't result in any
18 additional enforcement actions taken against
19 the industry.

20 MR. JOYE: Is that a yes?

21 MR. BROWN: Yes.

22 MR. WELLS: In the normal, roughly speaking, how
23 many man hours that it takes for us at DHEC
24 once the EPA rules come down?

25 MR. BROWN: To address them in our regulations or

1 to include -

2 MR. WELLS: Right. And then out to industry to
3 make sure that they embrace it?

4 MR. BROWN: It takes a couple of months of for a
5 person, probably two months of a person's
6 time when you consider the meetings and
7 discussions with stakeholders and re-wording
8 the regulations and bringing it forward.

9 MR. AMSLER: Any other questions?

10 MS. KIROL: I'll make a motion.

11 MR. AMSLER: Thank you.

12 MS. KIROL: I move that we find for need and
13 reasonableness of the proposed amendment
14 Regulation 61-62, Air Pollution Control
15 Regulations and Standards, and the South
16 Carolina Air Quality Implementation Plan
17 accept and approve it for publication in the
18 State Register as final.

19 MR. AMSLER: Thank you, Ms. Kirol.

20 MR. BATTS: I'll make a second.

21 MR. AMSLER: Hold on a second, yeah we need a
22 couple other points of business here first.
23 The -- nobody signed up to speak, is there
24 anybody else that wishes to speak? Okay,
25 are there any other questions by the board?

1 Thank you Mr. Lutz.

2 MS. KIROL: Was he, did he --

3 MR. AMSLER: Yeah, he was. Ok now, we have a
4 motion?

5 MR. LUTZ: I'll second it.

6 MR. AMSLER: Ok, any other discussion? All in
7 favor?

8 BOARD MEMBERS: Aye.

9 MR. AMSLER: All opposed?

10 BOARD MEMBERS: No response.

11 MR. AMSLER: Thank you, Mr. Brown. Thank you,
12 Mr. Lutz.

13 MR. LUTZ: Yes, sir, my pleasure.

14 (There being nothing further, the
15 hearing concluded at 10:11 a.m.)

16

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF REPORTER

2
3 I, KATHRYN BOSTROM, COURT REPORTER AND NOTARY PUBLIC
4 IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY
5 CERTIFY THAT I REPORTED THIS HEARING ON THURSDAY, THE 8TH
6 DAY OF SEPTEMBER, 2016, AND THAT THE FOREGOING 9 PAGES
7 CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF MY STENOMASK
8 REPORT OF SAID DEPOSITION.

9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR
10 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE
11 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY
12 INTERESTED IN SAID CAUSE.

13 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT
14 WAS THEREAFTER SEALED BY ME AND DELIVERED TO SOUTH CAROLINA
15 DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, 2600 BULL
16 STREET, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS
17 SEALED ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR
18 FILING SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING
19 WHICH MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE.

20 IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS
21 18TH DAY OF OCTOBER, 2016.

22 _____
23 KATHRYN B. BOSTROM, COURT REPORTER

24 MY COMMISSION EXPIRES AUGUST 28, 2022
25

P R O C E E D I N G S

1 (Pages 1 to 4)

<div style="text-align: right;">Page 1</div> <p style="text-align: center;">SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL 2600 BULL STREET COLUMBIA, SOUTH CAROLINA 29201</p> <p>Hearing Re: Proposed) Amendment of Regulation 61-62) Hearing Proceedings Air Pollution Control) Agenda Item #4 Regulations and Standards, and) September 8, 2016 The South Carolina Air Quality) Implementation Plan, (SIP)) State Register Document) No. 4650) _____)</p> <p>Public hearing reported by Kathryn Bostrom, Court Reporter and Notary Public in and for the State of South Carolina; pursuant to Rule 30 of the South Carolina Rules of Civil Procedure; said deposition was taken at the offices of South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina, on Thursday, the 8th day of September, 2016, commencing at the hour of 10:05 a.m.</p>	<div style="text-align: right;">Page 3</div> <p>1</p> <p>2 CONTENTS:</p> <p>3 PAGE</p> <p>4 Proceedings 4</p> <p>5 Certification of Reporter 10</p> <p>6 Word Index</p> <p>7</p> <p>8 * * * * *</p> <p>9 Miscellaneous Attachments (sign in sheets, etc.)</p> <p>10</p> <p>11</p> <p>12 * * * * *</p> <p>13 Court Reporter's Legend:</p> <p>14 dashes [--] Intentional or purposeful interruption</p> <p>15 [ph] Denotes phonetically written</p> <p>16 [sic] Written as said</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<div style="text-align: right;">Page 2</div> <p>1 APPEARANCES</p> <p>2</p> <p>3 Representing the Board:</p> <p>4 Allen Amsler, Chairman</p> <p>5 Mark Lutz</p> <p>6 R. Kenyon Wells</p> <p>7 Charles M. Joye, PE</p> <p>8 L. Clarence Batts</p> <p>9 David W. Gillespie, MD</p> <p>10 William L. Hewitt</p> <p>11 Ann B. Kirol, DDS</p> <p>12</p> <p>13 Director of DHEC:</p> <p>14 Catherine Heigel</p> <p>15</p> <p>16 Advising the Board:</p> <p>17 Marshall Taylor, Esquire</p> <p>18</p> <p>19 Court Reporter:</p> <p>20 Kathryn Bostrom</p> <p>21</p> <p>22 DHEC:</p> <p>23 Mr. Robert Brown</p> <p>24</p> <p>25</p>	<div style="text-align: right;">Page 4</div> <p>1 P-R-O-C-E-E-D-I-N-G-S</p> <p>2 MR. AMSLER: All right. Item # 4 is a public</p> <p>3 hearing. We'll now have a public hearing</p> <p>4 pursuant to Code Section 1-23-111 for</p> <p>5 proposal amendment of Regulation 61-62 Air</p> <p>6 Pollution Control Regulation and Standards</p> <p>7 in South Carolina Air Quality Implementation</p> <p>8 Plan. Notice of this hearing was published</p> <p>9 in the State Register Document #4650. The</p> <p>10 following procedure will be used for the</p> <p>11 hearing. A member of the DHEC staff will</p> <p>12 describe the proposal. At the conclusion of</p> <p>13 that presentation any member of the public</p> <p>14 may comment. I will first call on those who</p> <p>15 have signed up to speak. At the conclusion</p> <p>16 of their comments there will be an</p> <p>17 opportunity for any other member of the</p> <p>18 public to speak. Please limit your comments</p> <p>19 to five minutes and if several members of</p> <p>20 the group are present, please appoint a</p> <p>21 spokesperson for that group. Please state</p> <p>22 you name and the organization for the court</p> <p>23 reporter. Please limit your comments to</p> <p>24 materials which are relevant and are not</p> <p>25 repetitive of statements already made. If</p>

P R O C E E D I N G S

2 (Pages 5 to 8)

Page 5	Page 7
<p>1 you have a written statement please provide</p> <p>2 a copy to the reporter. Mr Brown, good</p> <p>3 morning, will you make a staff presentation.</p> <p>4 MR. BROWN: Good morning Mr. Chairman, members</p> <p>5 of the board, Director Higel and Counsel.</p> <p>6 This is a request for a public hearing and</p> <p>7 board consideration for final approval to</p> <p>8 amend Regulation 61-62 and the South</p> <p>9 Carolina State implementation plan or SIP.</p> <p>10 This proposed actual is an annual update of</p> <p>11 our Air Quality Regulations in the SIP,</p> <p>12 primarily to incorporate by reference recent</p> <p>13 federal amendments and requirements from the</p> <p>14 past calendar year. First we propose to</p> <p>15 amend Regulation 61-62.60, and Regulation</p> <p>16 61-62.63 to incorporate by reference recent</p> <p>17 federal amendments to federal source</p> <p>18 category rules. Second to amend Regulation</p> <p>19 61-62.1, Section 2, and Regulation 61-62.5</p> <p>20 Standard Number one and four to address</p> <p>21 regulation wording on periods of excess</p> <p>22 emissions during start up, shut down or</p> <p>23 malfunction events, also known as SIP, I'm</p> <p>24 sorry, SSM. This is required by the EPA in</p> <p>25 response to a national petition for rule</p>	<p>1 not be more stringent than the federal rules</p> <p>2 and legislative review is not required. In</p> <p>3 summation, the department's staff asked that</p> <p>4 after public hearing and consideration of</p> <p>5 the attached information the board finds for</p> <p>6 the need and reasonableness of the proposed</p> <p>7 revisions, and I'll be happy to address any</p> <p>8 questions. Any Questions?</p> <p>9 MR. JOYE: We had no choice?</p> <p>10 MR. BROWN: Yes sir, these are all of the things</p> <p>11 that are in there are either already in</p> <p>12 place under the federal regulations and the</p> <p>13 sources are already having to meet or</p> <p>14 they're an issue like the startup, shutdown</p> <p>15 malfunction where the EPA says we have to</p> <p>16 change our regulations. And that's a it's a</p> <p>17 minor re-wording, and it won't result in any</p> <p>18 additional enforcement actions taken against</p> <p>19 the industry.</p> <p>20 MR. JOYE: Is that a yes?</p> <p>21 MR. BROWN: Yes.</p> <p>22 MR. WELLS: In the normal, roughly speaking, how</p> <p>23 many man hours that it takes for us at DHEC</p> <p>24 once the EPA rules come down?</p> <p>25 MR. BROWN: To address them in our regulations or</p>
Page 6	Page 8
<p>1 making, and to address a finding of</p> <p>2 substantial inadequacy referred to as a</p> <p>3 "SIP" call. Third to amend Regulation 61-</p> <p>4 62.1 Section 3 to incorporate changes to</p> <p>5 the EPA Emissions Inventory Reporting</p> <p>6 requirements and to lower the threshold for</p> <p>7 reporting lead emissions from sources. And</p> <p>8 last to amend 61-62.5 Standard #2 to</p> <p>9 incorporate amendments revising the national</p> <p>10 ambient air quality standard for ozone. A</p> <p>11 notice of drafting was published in the</p> <p>12 State Register on February 26th of this</p> <p>13 year, comments on the SSM were received and</p> <p>14 considered in the initial proposal. In June</p> <p>15 of this year the board granted staff initial</p> <p>16 approval to public notice proposed</p> <p>17 amendments which were published in the State</p> <p>18 Register in June 24th. The department</p> <p>19 received no comment from the public and no</p> <p>20 comment letter was received from the EPA.</p> <p>21 The proposed amendments to the Air Pollution</p> <p>22 Control Regulations and Standards and the</p> <p>23 SIP are necessary to ensure compliance and</p> <p>24 maintain conformity with Federal Regulations</p> <p>25 & Standards. The proposed amendments will</p>	<p>1 to include -</p> <p>2 MR. WELLS: Right. And then out to industry to</p> <p>3 make sure that they embrace it?</p> <p>4 MR. BROWN: It takes a couple of months of for a</p> <p>5 person, probably two months of a person's</p> <p>6 time when you consider the meetings and</p> <p>7 discussions with stakeholders and re-wording</p> <p>8 the regulations and bringing it forward.</p> <p>9 MR. AMSLER: Any other questions?</p> <p>10 MS. KIROL: I'll make a motion.</p> <p>11 MR. AMSLER: Thank you.</p> <p>12 MS. KIROL: I move that we find for need and</p> <p>13 reasonableness of the proposed amendment</p> <p>14 Regulation 61-62, Air Pollution Control</p> <p>15 Regulations and Standards, and the South</p> <p>16 Carolina Air Quality Implementation Plan</p> <p>17 accept and approve it for publication in the</p> <p>18 State Register as final.</p> <p>19 MR. AMSLER: Thank you, Ms. Kirol.</p> <p>20 MR. BATTS: I'll make a second.</p> <p>21 MR. AMSLER: Hold on a second, yeah we need a</p> <p>22 couple other points of business here first.</p> <p>23 The -- nobody signed up to speak, is there</p> <p>24 anybody else that wishes to speak? Okay,</p> <p>25 are there any other questions by the board?</p>

<p style="text-align: right;">Page 9</p> <p>1 Thank you Mr. Lutz.</p> <p>2 MS. KIROL: Was he, did he --</p> <p>3 MR. AMSLER: Yeah, he was. Ok now, we have a</p> <p>4 motion?</p> <p>5 MR. LUTZ: I'll second it.</p> <p>6 MR. AMSLER: Ok, any other discussion? All in</p> <p>7 favor?</p> <p>8 BOARD MEMBERS: Aye.</p> <p>9 MR. AMSLER: All opposed?</p> <p>10 BOARD MEMBERS: No response.</p> <p>11 MR. AMSLER: Thank you, Mr. Brown. Thank you,</p> <p>12 Mr. Lutz.</p> <p>13 MR. LUTZ: Yes, sir, my pleasure.</p> <p>14 (There being nothing further, the</p> <p>15 hearing concluded at 10:11 a.m.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	
<p style="text-align: right;">Page 10</p> <p>1 CERTIFICATE OF REPORTER</p> <p>2</p> <p>3 I, KATHRYN BOSTROM, COURT REPORTER AND NOTARY PUBLIC</p> <p>4 IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY</p> <p>5 CERTIFY THAT I REPORTED THIS HEARING ON THURSDAY, THE 8TH</p> <p>6 DAY OF SEPTEMBER, 2016, AND THAT THE FOREGOING 9 PAGES</p> <p>7 CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF MY STENOMASK</p> <p>8 REPORT OF SAID DEPOSITION.</p> <p>9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR</p> <p>10 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE</p> <p>11 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY</p> <p>12 INTERESTED IN SAID CAUSE.</p> <p>13 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT</p> <p>14 WAS THEREAFTER SEALED BY ME AND DELIVERED TO SOUTH CAROLINA</p> <p>15 DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, 2600 BULL</p> <p>16 STREET, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS</p> <p>17 SEALED ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR</p> <p>18 FILING SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING</p> <p>19 WHICH MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE.</p> <p>20 IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS</p> <p>21 18TH DAY OF OCTOBER, 2016.</p> <p>22</p> <p>23 _____ KATHRYN B. BOSTROM, COURT REPORTER</p> <p>24 MY COMMISSION EXPIRES AUGUST 28, 2022</p> <p>25</p>	

<p>A</p> <p>a.m 1:22 9:15 accept 8:17 ACTION 10:11 actions 7:18 actual 5:10 additional 7:18 address 5:20 6:17:7,25 Advising 2:16 Agenda 1:7 air 1:7,9 4:5,75:11 6:10,218:14,16 Allen 2:4 ambient 6:10 amend 5:8,15,186:3,8 amendment 1:64:5 8:13 amendments5:13,17 6:9,176:21,25 Amsler 2:4 4:28:9,11,19,219:3,6,9,11 Ann 2:11 annual 5:10 anybody 8:24 APPEARANC...2:1 appoint 4:20 approval 5:76:16 approve 8:17 asked 7:3 attached 7:5 Attachments 3:9 ATTORNEY10:9 AUGUST 10:24 Aye 9:8</p>	<p>Batts 2:8 8:20 board 1:2 2:3,165:5,7 6:15 7:58:25 9:8,10 Bostrom 1:152:20 10:3,23 bringing 8:8 Brown 2:23 5:25:4 7:10,21,258:4 9:11 Bull 1:3,2010:15 business 8:22</p> <p>C</p> <p>calendar 5:14 call 4:14 6:3 Carolina 1:1,3,91:16,17,19,204:7 5:9 8:1610:4,14,16 category 5:18 Catherine 2:14 CAUSE 10:12 CERTIFICATE10:1 Certification 3:5 CERTIFY 10:510:9,13 Chairman 2:45:4 change 7:16 changes 6:4 Charles 2:7 choice 7:9 Civil 1:17 Clarence 2:8 Code 4:4 Columbia 1:3,2010:16 come 7:24 commencing1:21 comment 4:146:19,20</p>	<p>comments 4:164:18,23 6:13 COMMISSION10:24 compliance 6:23 concluded 9:15 conclusion 4:124:15 conformity 6:24 CONNECTED10:11 consider 8:6 consideration5:7 7:4 considered 6:14 CONSTITUTE10:7 CONTENTS 3:2 Control 1:2,7,204:6 6:22 8:1410:15 copy 5:2 CORRECT 10:7 Counsel 5:510:10 couple 8:4,22 court 1:15 2:193:13 4:22 10:310:18,23</p> <p>D</p> <p>dashes 3:14 David 2:9 day 1:21 10:6,21 DDS 2:11 DELIVERED10:14 Denotes 3:15 department 1:196:18 10:15 department's7:3 deposition 1:1810:8 describe 4:12</p>	<p>DHEC 2:13,224:11 7:23 Director 2:135:5 discussion 9:6 discussions 8:7 Document 1:114:9 drafting 6:11</p> <p>E</p> <p>either 7:11 embrace 8:3 emissions 5:226:5,7 EMPLOYED10:10 enforcement7:18 ensure 6:23 Environmental1:2,19 10:15 EPA 5:24 6:5,207:15,24 Esquire 2:17 events 5:23 excess 5:21 EXPIRES 10:24</p> <p>F</p> <p>favor 9:7 February 6:12 federal 5:13,175:17 6:24 7:17:12 FILING 10:18 final 5:7 8:1810:19 FINANCIAL...10:11 find 8:12 finding 6:1 finds 7:5 first 4:14 5:148:22 five 4:19</p>	<p>following 4:10 FOREGOING10:6 forward 8:8 four 5:20 further 9:1410:9,13</p> <p>G</p> <p>Gillespie 2:9 good 5:2,4 granted 6:15 group 4:20,21</p> <p>H</p> <p>HAND 10:20 happy 7:7 Health 1:2,1910:15 hearing 1:5,6,154:3,3,8,11 5:67:4 9:15 10:510:18 Heigel 2:14 Hewitt 2:10 Higel 5:5 Hold 8:21 hour 1:22 hours 7:23</p> <p>I</p> <p>I'll 7:7 8:10,209:5 I'm 5:23 implementation1:10 4:7 5:98:16 inadequacy 6:2 include 8:1 incorporate 5:125:16 6:4,9 Index 3:6 industry 7:198:2 information 7:5 initial 6:14,15</p>
---	---	---	--	---

Intentional 3:14 INTERESTED 10:12 interruption 3:14 Inventory 6:5 issue 7:14 10:19 it's 7:16 Item 1:7 4:2 <hr/> J <hr/> Joye 2:7 7:9,20 June 6:14,18 <hr/> K <hr/> Kathryn 1:15 2:20 10:3,23 Kenyon 2:6 Kirol 2:11 8:10 8:12,19 9:2 known 5:23 <hr/> L <hr/> L 2:8,10 LARGE 10:4 lead 6:7 Legend 3:13 legislative 7:2 letter 6:20 limit 4:18,23 lower 6:6 Lutz 2:5 9:1,5 9:12,13 <hr/> M <hr/> M 2:7 maintain 6:24 making 6:1 malfunction 5:23 7:15 man 7:23 Mark 2:5 Marshall 2:17 materials 4:24 MD 2:9 meet 7:13	meetings 8:6 member 4:11,13 4:17 members 4:19 5:4 9:8,10 minor 7:17 minutes 4:19 Miscellaneous 3:9 months 8:4,5 morning 5:3,4 motion 8:10 9:4 move 8:12 <hr/> N <hr/> name 4:22 national 5:25 6:9 necessary 6:23 need 7:6 8:12,21 NEITHER 10:9 normal 7:22 Notary 1:16 10:3 notice 4:8 6:11 6:16 Number 5:20 <hr/> O <hr/> OCTOBER 10:21 offices 1:18 Ok 9:3,6 Okay 8:24 once 7:24 opportunity 4:17 opposed 9:9 ORDER 10:19 organization 4:22 ORIGINAL 10:13,17 ozone 6:10 <hr/> P <hr/> P-R-O-C-E-E-...	4:1 PAGE 3:3 PAGES 10:6 PARTIES 10:11 PE 2:7 periods 5:21 person 8:5 person's 8:5 petition 5:25 ph 3:15 phonetically 3:15 place 7:12 plan 1:10 4:8 5:9 8:16 please 4:18,20 4:21,23 5:1 pleasure 9:13 points 8:22 Pollution 1:7 4:6 6:21 8:14 present 4:20 presentation 4:13 5:3 primarily 5:12 PRIOR 10:18 probably 8:5 procedure 1:18 4:10 Proceedings 1:6 3:4 proposal 4:5,12 6:14 propose 5:14 proposed 1:5 5:10 6:16,21 6:25 7:6 8:13 provide 5:1 public 1:15,16 4:2,3,13,18 5:6 6:16,19 7:4 10:3 publication 8:17 published 4:8 6:11,17	purposeful 3:14 pursuant 1:17 4:4 <hr/> Q <hr/> quality 1:9 4:7 5:11 6:10 8:16 questions 7:8,8 8:9,25 <hr/> R <hr/> R 2:6 re-wording 7:17 8:7 reasonableness 7:6 8:13 received 6:13,19 6:20 reference 5:12 5:16 referred 6:2 Register 1:11 4:9 6:12,18 8:18 regulation 1:6 4:5,6 5:8,15,15 5:18,19,21 6:3 8:14 regulations 1:8 5:11 6:22,24 7:12,16,25 8:8 8:15 RELATED 10:10 relevant 4:24 repetitive 4:25 REPORT 10:8 reported 1:15 10:5 reporter 1:15 2:19 3:5 4:23 5:2 10:1,3,23 Reporter's 3:13 reporting 6:5,7 Representing 2:3	request 5:6 required 5:24 7:2 requirements 5:13 6:6 response 5:25 9:10 RESPONSIBLE 10:17 result 7:17 10:19 RETAIN 10:16 review 7:2 revising 6:9 revisions 7:7 right 4:2 8:2 Robert 2:23 roughly 7:22 rule 1:17 5:25 rules 1:17 5:18 7:1,24 <hr/> S <hr/> says 7:15 SEAL 10:20 SEALED 10:14 10:17 second 5:18 8:20 8:21 9:5 Section 4:4 5:19 6:4 September 1:8 1:21 10:6 SET 10:20 sheets 3:9 shut 5:22 shutdown 7:14 sic 3:16 sign 3:9 signed 4:15 8:23 SIP 1:10 5:9,11 5:23 6:3,23 sir 7:10 9:13 sorry 5:24 source 5:17 sources 6:7 7:13
--	--	--	--	--

South 1:1,3,9,16 1:17,19,20 4:7 5:8 8:15 10:4 10:14,16 speak 4:15,18 8:23,24 speaking 7:22 spokesperson 4:21 SSM 5:24 6:13 staff 4:11 5:3 6:15 7:3 stakeholders 8:7 standard 5:20 6:8,10 Standards 1:8 4:6 6:22,25 8:15 start 5:22 startup 7:14 state 1:11,16 4:9 4:21 5:9 6:12 6:17 8:18 10:4 statement 5:1 statements 4:25 STENOMASK 10:7 Street 1:3,20 10:16 stringent 7:1 substantial 6:2 summation 7:3 sure 8:3 T taken 1:18 7:18 takes 7:23 8:4 Taylor 2:17 Thank 8:11,19 9:1,11,11 that's 7:16 they're 7:14 things 7:10 Third 6:3 threshold 6:6	Thursday 1:21 10:5 time 8:6 TRANSCRIPT 10:13,17 TRANSCRIP... 10:7 TRIAL 10:18 TRUE 10:7 two 8:5 U update 5:10 V W W 2:9 We'll 4:3 Wells 2:6 7:22 8:2 WHEREOF 10:20 William 2:10 wishes 8:24 WITNESS 10:20 won't 7:17 Word 3:6 wording 5:21 written 3:15,16 5:1 X Y yeah 8:21 9:3 year 5:14 6:13 6:15 Z 0 1 1-23-111 4:4 10 3:5	10:05 1:22 10:11 9:15 18TH 10:21 2 2 5:19 6:8 2016 1:8,21 10:6 10:21 2022 10:24 24th 6:18 2600 1:3,20 10:15 26th 6:12 28 10:24 29201 1:3 3 3 6:4 30 1:17 4 4 1:7 3:4 4:2 4650 1:12 4:9 5 6 61- 6:3 61-62 1:6 4:5 5:8 8:14 61-62.1 5:19 61-62.5 5:19 6:8 61-62.60 5:15 61-62.63 5:16 62.1 6:4 7 8 8 1:8 8th 1:21 10:5 9 9 10:6		
---	---	---	--	--

**PRESENTATION FOR September 8, 2016
(Agenda Item #4)
Public Hearing and Board consideration
for final approval R.61-62 and the SIP for:**

Regulation 61-62.1, Section II, *Permit Requirements* and Section III, *Emission Inventory and Emissions Statements*; Regulation 61-62.5, Standard No.1, *Emissions from Fuel Burning Operations*, Standard No. 2, *Ambient Air Quality Standards*, and Standard No. 4, *Emissions from Process Industries*; Regulation 61-62.60, *South Carolina Designated Facility Plan and New Source Performance Standards (NSPS)*; and Regulation 61-62.63, *National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories*

Good morning Mr. Chairman (Amsler), Members of the Board, Director Heigel.

This is a request for a Public Hearing and Board consideration for final approval to amend Regulation 61-62 and the South Carolina State Implementation Plan.

This proposed action is an annual update of our air regulations and the SIP, primarily to incorporate by reference recent federal amendments and requirements from the last calendar year.

Specifically, first, we propose to amend Regulation 61-62.60, and Regulation 61-62.63 to incorporate by reference recent federal amendments to federal source category rules.

Second, to amend Regulation 61-62.1, Section II and Regulation 61-62.5, Standards No. 1 and 4 to address periods of excess emissions during startup, shutdown, or malfunction (SSM) events as required by the EPA in response to a national petition for rulemaking and to address a finding of substantial inadequacy (referred to as a 'SIP call') (80 FR 33840).

Third, to amend Regulation 61-62.1, Section III, to incorporate changes to the EPA's emission inventory reporting requirements and lower the threshold for reporting lead (Pb) emissions from sources.

Last, to amend Regulation 61-62.5, Standard No. 2, to incorporate amendments revising the NAAQS for Ozone.

A Notice of Drafting was published in the *State Register* on February 26, 2016. Comments on SSM were received and considered in the initial proposal.

**DHEC Board Public Hearing
2015 End of Year Revisions
September 8, 2016**

Name / Representing	Mailing Address	Telephone Number & Email Address